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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/786,031	02/26/2004	Russell Owen	42783-0031	2916

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EXAMINER

AFSHAR, KAMRAN

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 04/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/786,031

Applicant(s)

OWEN ET AL.

Examiner

Kamran Afshar, 571-272-7796

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 08/17/2004.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims are 1-2, 10-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Hansson (U.S. Pub. No.: 2004/0127190 A1).

With respect to claims 1, 10, Applicant broad formulation of independent claims 1 and 10 are such that its subject matter can be read onto the prior art of (i.e. Hansson (U.S. Pub. No.: 2004/0127190 A1)). Hansson discloses in details a computer program product having a computer-readable medium tangibly embodying computer executable instructions (See e.g. Page 3, Lines 4-8 of ¶ [0033]) and / or an access update module, a method of automatically (i.e. with no further user intervention) configuring an access control point, the access control point allowing or blocking (See e.g. Granting, denying, rejecting, steps 288, 292 of Figs. 7, 8A) transmissions between network resources (See e.g. wireless telecommunication, and an application on a user device (See e.g. mobile terminal, Page 1, ¶ [0003]) based upon access rules (See e.g. Flow Diagram of Figs. 7, 8A, the method comprising the steps of: receiving and inherently reading access control information associated with the application; and setting the access control rules based upon said access control information (See e.g. Pages 1-2, ¶ [0014]-[0016])).

Regarding claims 2, 11, Hansson discloses the user device comprises a mobile device (See e.g. Mobile Terminal, Page 3, ¶ [0033]) and wherein the access control point comprises a device access control point located at the mobile device (See e.g. 12, 22, 24, 26 of Fig. 1), and the access control rules

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comprise device access rules (See e.g. rules of Figs. 7, 8A), and wherein the step and / or computer executable instructions (See e.g. Page 3, Lines 4-8 of ¶[0033]) of setting includes setting the device access rules based upon the access control information (See e.g. ID Tag, 301 of Fig. 8A, access control list, 312 of Fig. 10)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-9, 12-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansson (U.S. Pub. No.: 2004/0127190 A1) in view of Maste (U.S. Pub. No.: 2004/0088550 A1) further in view of Nykanene (U.S. Pub. No.: 2002/0173295 A1).

Regarding claims 3, 12, Hansson discloses everything as discussed above in the rejected claims 1, 10. In an analogous field of endeavor, Maste vigorously discloses the user device comprises a mobile device and wherein the access control point comprises a server access control point located at a wireless connector system associated with mobile device (See e.g. 2, AP1-AP2, 10, 12 of Fig. 2), and the access control rules inherently comprise server access control rules (See e.g. Page 2, ¶ [0021]), computer executable instructions and / or step of setting includes setting the server access control rules based upon access control information (See Maste, e.g. Page 1, ¶ [0008]). Therefore, it would have been vigorously obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Maste to Hansson for enabling the user to grant access permission to the application program to access the current context result. This can be performed in the user's wireless device or in the network server. The network server can carry out the control of access by application programs in web servers, in

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response to a user profile received from the user's wireless device as suggested (See Nykanene e.g. Page 1, ¶ [0009]).

Regarding claims 4, 13, it is obvious including a step of downloading an application file to the user device (See Nykanene, Page 5, ¶ [0092]), wherein the application file installs the application upon the user device, and wherein the computer executable instructions and / or step of setting the access control rules is performed after installation of the application (See e.g. Hansson Page 2, ¶ [0015]).

Regarding claim 5, 14, it is inherent and / or obvious that access control information is embedded within said application file (See Hansson, e.g. Page 4, ¶ [0047]).

Regarding claims 6, 15, it is inherent and / or obvious that access control information is stored within a descriptor file associated with said application file (See Hansson, e.g. Page 4, ¶ [0047]).

Regarding claims 7, 16, it is inherent and / or obvious that the application comprises a Java-implemented application, and wherein said descriptor file is a Java Descriptor File (See Hansson, e.g. Page 4, ¶ [0047]).

Regarding claims 8, 17, it is inherent and / or obvious that application file includes installation code for the access update module, and wherein the method includes steps of executing said installation code and installing the access update module on the mobile device (See Hansson, e.g. ID Tag, Page. 4, ¶ [0057]).

Regarding claims 9, 18, it is inherent and / or obvious that access control information includes an identifier corresponding to the network resources (See e.g. Nykanene, Page 4, Lines 1-8 of ¶ [0070]).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - a) Kang (U.S. Pub. No.: 2004/0085970 A1).
 - b) Goldstein (U.S. Pub. No.: 2004/0152457 A1).
 - c) Myka (U.S. Pub. No.: 2005/0215236 A1).
 - d) Brown (U.S. Pub. No.: 2003/0177248 A1).

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e) Irisawa (U.S. Pub. No.: 2003/0092434 A1).


f) Croome (U.S. Pub. No.: 2005/0101309 A1).

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kamran Afshar whose telephone number is (571) 272-7796. The examiner can be reached on Monday-Friday.

If attempts to reach the examiner by the telephone are unsuccessful, the examiner's supervisor, **Feild, Joseph** can be reached @ (571) 272-4090. The fax number for the organization where this application or proceeding is assigned is **571-273-8300** for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kamran Afshar


ERIKA A. GARY
PRIMARY EXAMINER